DECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATION

| Attorney Docket N | o: VENTANA 01. | 01 | | |
|--|---|--|--|--|
| First Named Inven | tor: TAFT | | | |
| Complete if known: Serial No: | | | Filing Date: December 20, 2001 | |
| Group Art Unit: | | <u> </u> | Examiner: | |
| As a below named | inventor, I hereby o | leclare that: | | |
| My residence, post | office address and | citizenship are as s | nated below next to my name. | |
| original, first and judicional for what | oint inventor (if plu nich a patent is soug | ral names are listed tht on the invention | one name is listed below) or an delete below) of the subject matter which is a entitled Method and Apparatus for attorn of which is attached hereto. | |
| I hereby state that I specification, inclu | have reviewed and ding the claims, as | i understand the cor amended by any at | ntents of the above-identified mendment referred to above. | |
| I acknowledge the application in acco | duty to disclose inf rdance with Title 3 | formation which is a 7, Code of Federal | material to the examination of this Regulations, S. 1.56(a). | |
| application(s) for p which designated a | patent or inventor's out at least one country d below any foreign | certificate, or 365(a other than the Unit application for pa | 119(a)-(d) or 365(b) of any foreign a) of any PCT international application ted States of America, listed below and tent or inventor's certificate or of any that of the application on which priority | |
| Prior Foreign Application(s): | | | Certified Copy Priority Claimed Attached Yes No Yes No | |
| (Number) | (Country) | (Month/Day/Yea | r Filed) | |
| | | | Yes No Yes No | |
| (Number) | (Country) | (Month/Day/Yea | r Filed) | |
| I hereby claim the listed below: | benefit under 35 U | .S.C. 119(e) of any | United States provisional application(s | |
| Application No: | | Filing Da | ite: | |
| And the second s | | 1 | | |

1051-969-025

P.004

I hereby claim the benefit under 35 U.S.C. 120 of any United States application(s), or 365(c) of any PCT international application designating the United States of America, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of 35 U.S.C 112. I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application:

US Parent Application No. Property or PCT Parent Applin. No.

Parent Filing Date

Parent Patent Number (if applicable)

And I hereby appoint Huw R. Jones, Reg. No. 33,916, of VENTANA MEDICAL SYSTEMS, INC., 1910 Innovation Park Drive, Tucson, AZ 85737; and HAYES, SOLOWAY, HENNESSEY, GROSSMAN & HAGE, P.C., a firm composed of Oliver W. Hayes, Reg. No. 15,867; Norman P. Soloway, Reg. No. 24,315; William O. Hennessey, Reg. No. 32,032; Susan H. Haye, Reg. No. 29,646; Steven J. Grossman, Reg. No. 35,001; and Donald J. Perreault, Reg. No. 40,126, or any of them, of 175 Canal Street, Manchester, New Hampshire 03101 (Telephone: 603-668-1400); or Edmund Paul Pfleger, Reg. No. 41,252; Dale F. Regelman, Reg. No. 45,625; or Kevin M. Drucker, Reg. No. 47,537, or any of them, of 130 W. Cushing Street, Tucson, Arizona 85701 (Telephone: 520-882-7623) my attorneys with full power of substitution and revocation, to prosecute this application and to transact all business in the Patent Office connected therewith.

Please direct all future correspondence in connection with this application to the attention of **Norman P. Soloway**, HAYES, SOLOWAY, HENNESSEY, GROSSMAN & HAGE, P.C., 130 W. Cushing Street, Tucson, Arizona 85701 (Telephone: 520-882-7623).

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of sole or first inventor: Scott Taft

First Inventor's signature

_ Date <u>| | Z - ZO - O |</u>

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S00.9

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